IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 15754 of 2005

Between:

Y. Sreenivasulu

..... PETITIONER

AND

The Director (Operation),

Southern Power Distribution Co. of A.P. Ltd.,
Tirupathi and another

.....RESPONDENTS

ORDER:

At the request of both parties, the writ petition is taken up for final hearing.

This writ petition is filed seeking a Mandamus, declaring the action of the respondents in transferring the petitioner on promotion to Pulivendula instead of Cuddapah, violating the Government Memo No.1180/Ser.A/92-1 dated 12.01.1993, as illegal and arbitrary.

It is the case of the petitioner that he belongs to Scheduled Caste and he joined in the 2nd respondent Corporation as a Lower Division Clerk with effect from 02.04.2002. He was figured at Sl.No.3 in the promotion list. After completion of three years service, he was promoted as Upper Division Clerk on 20.05.2055 and posted to Pulivendla. The grievance of the petitioner is that as he belongs to Scheduled Caste and in pursuance of Government Memo No.1180/Ser.A/92-1, dated 12.01.1993 and representation of SC/ST Association, he has to be posted to Cuddapah. But the 2nd respondent, in violation of the instructions given in the Government Memo dated 12.01.1993, transferred him to Pulivendla though there is a clear vacancy at Cuddapah. Hence the petitioner is constrained to approach this Court by filing this writ petition.

Heard the learned counsel on either side.

Having regard to the facts and circumstances of the case, it is for the respondents to consider the request of the petitioner and take appropriate decision in accordance with the Memo No.1180/Ser.A/92-1, dated 12.01.1993 in respect of the transfer of the petitioner to Cuddapah instead of Pulivendla. Therefore, the respondents are directed to take appropriate decision in the case of the petitioner with regard to his transfer, in accordance with the Government Memo dated 12.01.1993, within a period of 8 (eight) weeks from the date of receipt of a copy of this Court. Till such time, the post in the cadre of Upper Division Clerk at Operation Circle Office, Cuddapah shall not be filled up.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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K.C. BHANU,J

Dated: 19.08.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr